

REMARKS**Claim Summary**

Claim 1 is amended to recite “detecting, by the secondary communication network, a presence of the communication device.” Similarly, claim 12 is amended to recite “wherein a presence of the communication device is detected by the secondary communication network.” Support for these changes may be found in FIG. 2 and FIG. 4 and at the accompanying description on page 6, lines 14-17, of the specification as filed. Thus, no new matter is added.

Claims 19 and 21 have been newly added. New claims 19 and 21 include the limitations of independent claims 1 and 12, respectively. Support for the new claims may be found at page 6, lines 14-17, of the specification as filed. Thus, no new matter is added.

Claims 20 and 22 have been newly added. New claims 20 and 22 include the limitations of independent claims 1 and 12, respectively. Support for the new claims may be found in FIG. 3 and FIG. 6, and at the accompanying description on page 8, lines 8-11, of the specification as filed. Thus, no new matter is added.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Objection on the Abstract

Applicant has replaced the paragraph with a new paragraph limiting the designation item numbers to a method flow chart 400 shown in FIG. 4. Reconsideration and withdrawal of the objection is respectfully requested.

Provisional Rejection under Obvious Type-Double Patenting

In response to the provisional rejection under obvious type double patenting, a terminal disclaimer, in compliance with 37 CFR § 1.321(c), is filed of even date herewith to overcome the provisional obvious-type double patenting rejection. Since the above mentioned application and patent number 7,136,641 are commonly owned by the same assignee of the application, it is believed that the terminal disclaimer overcomes the obviousness-type double patenting rejection.

Rejection of claims 1-7, 9-10, 12-15, and 17 under 35 U.S.C. § 102(b) as being anticipated by US 2002/0191575 (Kalavade)

Applicant has amended the claims to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 1-7, 9-10, 12-15, and 17 under 35 U.S.C. § 102(b) as being anticipated by Kalavade as herein amended.

Independent claim 1 has been amended to recite that “detecting, by the secondary communication network, a presence of the communication device.” Applicant respectfully submits that Kalavade does not anticipate, either expressly or inherently, each and every element as set forth in independent claim 1.

Kalavade discloses that a “converged wireless gateway” (CWG) client software 56 is downloaded in a mobile station 10 by an operator (for example AT&T wireless) in a network. The CWG client software 56 in the mobile station 10 detects a presence of a CWG 54 when the mobile station comes within an 802.11 hotspot affiliated with the converged network. The CWG

client software 56 detects the presence of CWG 54 by receiving the beacons broadcasted by the CWG 54 in the network. Thus, in Kalavade, the presence of CWG is detected, and not the presence of the mobile station 10 (equated to Applicant's "communication device"). See page 4, para. [0068], lines 1-5 of Kalavade. In contrast, Applicant's amended claim recites "detecting, by the secondary communication network, a presence of the communication device." Further, in Kalavade, the presence of CWG 54 is detected by the software known as the CWG client software, and not by the secondary communication network. See page 8, para. [0067], lines 1-4 of Kalavade. Conversely, in Applicant's amended claim, no such software is required or downloaded by an operator, and moreover, the presence of the communication device is detected by the secondary communication network.

Further, Applicant respectfully submits that Kalavade does not anticipate, either expressly or inherently, each and every element as set forth in dependent claims 19 and 20. Dependent claims 19 and 20 recite the further limitations of "wherein the presence of communication device is detected when the secondary communication network receives a request from the communication device to access the particular secondary communication network," and "the routing area selector is isolated from the primary and secondary communication networks."

Kalavade discloses that the presence of CWG is detected based on the CWG broadcast beacons in the network. See page 4, para. [0068], lines 4-7 of Kalavade. Also, in Kalavade, the CWG client software requests authentication only upon detecting the broadcast beacons. See page 4, para. [0068], lines 1-7. Conversely, Applicant's claim 19 recites "the presence of communication device is detected when the secondary communication network receives a request from the communication device to access the particular secondary communication network."

Additionally, Kalavade simply discloses that the authentication messages are allowed to go out of a LAN network so that the messages are authenticated by the GPRS network via the CWG. However, Kalavade makes no mention that the target routing area is determined by a routing area selector isolated from the GPRS and LAN networks. In contrast, Applicant's claim

20 recites "wherein the target routing area is determined by a routing area selector isolated from the primary and secondary communication networks."

In view of the foregoing, Applicant respectfully submits that Kalavade does not disclose "detecting, by the secondary communication network, a presence of the communication device," "the presence of communication device is detected when the secondary communication network receives a request from the communication device to access the particular secondary communication network," and "the target routing area is determined by a routing area selector isolated from the primary and secondary communication networks." Applicant therefore submits that claim 1, as amended, is not anticipated by Kalavade, and therefore the rejection under 35 USC 102(b) of claim 1, as amended, is overcome. Applicant requests that claim 1 may now be passed to allowance.

Regarding independent claim 12, Applicant respectfully submits that the above discussed arguments apply equally to the limitations of claim 12 as amended and newly dependent claims 20 and 21. Applicant therefore respectfully requests withdrawal of the rejection of claim 12 under 35 U.S.C 102.

Dependent claims 2-7, 9-10, 13-15, and 17 depend from, and include all the limitations of independent claims 1, and 12, which are shown to be allowable for the reasons given above. Therefore, Applicant respectfully submits that dependent claims 2-7, 9-10, 13-15, and 17 are in proper condition for allowance and requests that claims 2-7, 9-10, 13-15, and 17 may now be passed to allowance.

Rejection of Claims 8, 11, 16, and 18 under 35 U.S.C. § 103 (a) as being unpatentable over US 2002/0191575 (Kalavade) in view of US 2004/0185777 (Bryson)

As mentioned above, Applicant respectfully submits that Kalavade does not disclose "detecting, by the secondary communication network, a presence of the communication device." Since Kalavade does not teach or suggest "detecting, by the secondary communication network, a presence of the communication device," the combination of Kalavade with Bryson also fails to

disclose Applicant's claimed invention. Applicant respectfully requests withdrawal of the rejection of claims 8, 11, 16 and 18 under 35 USC 103(a). Applicant requests that claims 8, 11, 16 and 18 now be passed to allowance.

Conclusion

Applicant has reviewed the other references of record and believes that Applicant's claimed invention is patentably distinct and nonobvious over each reference taken alone or in combination. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact Applicant's attorney at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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